

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,)
)
)
Plaintiff,)
)
)
vs.)
)
)
DARIO CARLON PACHECO,)
)
)
Defendant.)

8:07CR219

ORDER

This matter is before the court on the government's motion to continue trial [50]. For good cause shown,

IT IS ORDERED that the motion [50] is granted, as follows:

1. The trial of this matter is continued to Tuesday, **February 26, 2008**.
2. In accordance with 18 U.S.C. § 3161(h)(8)(A), the court finds that the ends of justice will be served by granting this motion and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **February 12, 2008 and February 26, 2008**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reason that counsel require additional time to adequately prepare the case, due to the unavailability of essential witnesses. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

DATED February 12, 2008.

BY THE COURT:

s/ F.A. Gossett
United States Magistrate Judge